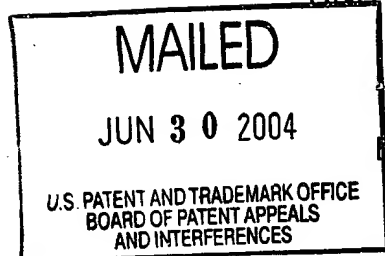


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 34

UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JACKSON L. ELLIS, DAVID R. NOELDNER,
DAVID M. SPRINGBERG and GRAEME M. WESTON-LEWIS

Appeal No. 2003-1872
Application No. 09/183,694

ON BRIEF

Before HARKCOM, ***Acting Chief Administrative Patent Judge***, WILLIAM F. SMITH
and NASE, ***Administrative Patent Judges***.

Per Curiam.

REMAND TO THE EXAMINER

The Office of the Group Director of Technology Center 2100 has requested that this application be remanded to the jurisdiction of the patent examiner so that the issues raised in this appeal can be reconsidered. Accordingly, we *remand*.

Appeal No. ~~2003-1948~~ 2003-1872
Application No. ~~09/378,425~~ 09/183,094

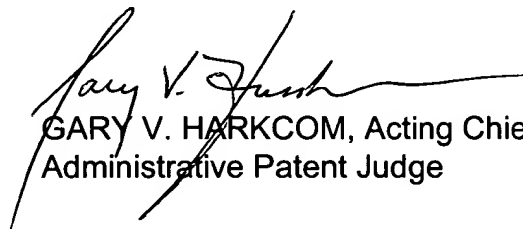
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to
Connie
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on 9/28/04
regarding
correction
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If reconsideration by the examiner does not promptly result in the withdrawal of all pending rejections, the examiner must return this application to the jurisdiction of the Board so that the appeal may be restored.

This application, by virtue of its "special" status, requires **immediate** action by the examiner. See MPEP § 708.01(d). The Board of Patent Appeals and Interferences **must** be informed promptly of any action affecting the appeal in this case, including reopening of prosecution, allowance and/or abandonment of the application.

REMANDED


GARY V. HARKCOM, Acting Chief
Administrative Patent Judge


WILLIAM F. SMITH
Administrative Patent Judge


JEFFREY NASE
Administrative Patent Judge

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) BOARD OF PATENT
) APPEALS AND
) INTERFERENCES
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Appeal No. 2003-1948
Application No. 09/378,425

Lsi Logic Corporation
1621 Barber Lane
MS: D-106 Legal
Milpitas, CA 95035